

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/032,717 Confirmation No.: 5409  
Applicant(s): Abad *et al.*  
Filed: October 23, 2001  
Art Unit: 1638  
Examiner: Kubelick, Anne R.  
Title: GENES ENCODING NOVEL BACILLUS THURINGIENSIS PROTEINS  
WITH PESTICIDAL ACTIVITY AGAINST COLEOPTERANS

Docket No.: 035718/237005  
Customer No.: 29122

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**APPELLANT'S REQUEST FOR ORAL HEARING**  
**37 CFR § 41.47**

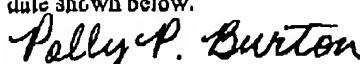
Pursuant to 37 CFR § 41.47, the Appellant hereby requests an oral hearing. This request is timely filed within two months after the Examiner's Answer, dated December 23, 2005.

Pursuant to 37 CFR §§ 41.20(b)(3) and 41.47(b), please charge our Deposit Account No. 16-0605 in the amount of \$1,000.00 for a large entity as payment of the fee for filing a request for an oral hearing before the Board of Patent Appeals and Interferences. Any additional fee or refund may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,



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<b>CUSTOMER NO. 29122</b> <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260	<b>CERTIFICATION OF FACSIMILE TRANSMISSION</b>  I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office, at Fax No. (571) 273-8300 on the date shown below.   Polly P. Burton  2/23/06 Date
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